

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**FEDERAL TRADE COMMISSION,**

Plaintiff,

v.

**GLOBAL ASSET FINANCIAL  
SERVICES GROUP, LLC, *et al.*,**

Defendants,

**CASE NO. 3:19-CV-55**

**ORDER DIRECTING CHASE BANK TO  
REFUND ERRONEOUS DEPOSIT TO  
UNRELATED THIRD PARTY, REFUND  
SERVICE CHARGES, AND TURN  
OVER BALANCE OF FUNDS ON  
DEPOSIT**

This matter came before the Court on the *Motion for Order Directing Chase Bank to Refund Erroneous Deposit to Unrelated Third Party, Refund Service Charges, and Turn Over Funds on Deposit* (the “Motion”) filed on September 24, 2019 by A. Cotten Wright, the receiver in this case (the “Receiver”), through counsel. (Doc. No. 62). It appears that service of the Motion was proper, and no party has filed an objection to the relief requested. The Court, having reviewed the Motion and the record in this case, has determined that the Motion should be allowed.

In the Motion, the Receiver requested entry of an Order directing Chase Bank to take certain actions with respect to an account held in the name of receivership defendant, Midwestern Alliance, LLC (“Midwestern”), designated as xxxx-9881 (the “Bank Account”). The Motion explains that an erroneous ACH deposit in the amount of \$63,813.69 was made to the Bank Account and that it should be refunded to the third party to whom the funds belong (the “Refund”).

The Motion further requests that Chase Bank be directed to refund certain service charges (the “Service Charges”) deducted from the Bank Account after that account had been frozen pursuant to this Court’s prior Orders. Additionally, the Receiver asked that Chase Bank be required to issue a check to the Receiver for any funds in the Bank Account after the Refund has

been made and the Service Charges have been credited back to the account.

Finally, the Receiver requested that Chase Bank be ordered to correct the mailing address it has on file for the Bank Account to reflect the Receiver's address.

Given the substance of the relief requested and the exigencies reflected in the Motion with respect to the Refund, the Court has determined that the relief requested by the Receiver should be granted immediately.

IT IS, THEREFORE, ORDERED that:

- 1) Chase Bank is DIRECTED to refund \$63,813.69 directly to Y2Payment Systems in accordance with further instructions to be provided by Y2Payment Systems and Ronald Viemont;
- 2) Chase Bank is DIRECTED to reverse any and all post-receivership Service Charges and bank fees assessed to the Bank Account;
- 3) Chase Bank is DIRECTED to issue and mail a check for any funds remaining in the Bank Account after the Refund has been made and the Service Charges have been reversed to A. Cotten Wright, Receiver for Midwestern Alliance, LLC, 101 N Tryon Street, Suite 1240, Charlotte, NC 28246, and thereafter close the Bank Account; and
- 4) Chase Bank is DIRECTED to correct the mailing address for the Bank Account to read: A. Cotten Wright, Receiver, Grier Wright Martinez, PA, 101 N Tryon Street, Suite 1240, Charlotte, NC 28246.

SO ORDERED.

Signed: September 26, 2019



Graham C. Mullen  
United States District Judge

